

GARMAN TURNER GORDON LLP
ERIC R. OLSEN
Nevada Bar No. 3127
E-mail: eoslen@gtg.legal
650 White Drive, Ste. 100
Las Vegas, Nevada 89119
Tel: (725) 777-3000
Fax: (725) 777-3112
*Attorneys for Defendant, Massachusetts
Mutual Life Insurance Company*

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA**

WILLIAM CROCE,

Plaintiff,

v.

MASSACHUSETTS MUTUAL LIFE
INSURANCE COMPANY, *et al.*

Defendants

Case No. 2:16-cv-02244-RFB-NJK

**JOINT MOTION OF THE PARTIES
TO AMEND SCHEDULING ORDER**

Plaintiff William Croce, appearing *pro se*, and Defendants Massachusetts Mutual Life Insurance Company (“MassMutual”) and Wells Fargo Advisors, LLC, f/k/a Wachovia Securities f/k/a First Union Securities (erroneously sued as First Union Corporation) (“Wells Fargo”), by and through their respective counsel of record, respectfully request the entry of an Amended Scheduling Order. In support of this motion, the parties aver as follows:

1. This is a dispute concerning retirement benefits in which the Plaintiff, a former MassMutual agent, alleges that he never received retirement benefits totaling \$56,991.35 that he was entitled to receive in 2001 under a pension plan sponsored by MassMutual.

1 2. Plaintiff asserts claims against MassMutual under the Employee Retirement Income
2 Security Act of 1974, 29 U.S.C. §§ 1001 – 1461 (“ERISA”), and claims against Wells Fargo
3 under state law. Defendants deny Plaintiff’s claims and deny all liability in this action.

4 3. The parties believe a settlement conference with a Magistrate Judge may be helpful
5 in exploring the possibility of settling this action and, therefore, filed a joint motion requesting a
6 referral to a Magistrate Judge to schedule a settlement conference.

7 4. The Court granted that motion by Order dated December 14, 2017 [Docket No. 45].

8 5. The Court’s December 14, 2017 Order schedules the settlement conference for
9 March 21, 2018, one day after the current discovery deadline would expire.

10 6. Based on the information previously exchanged as part of the parties’ initial
11 disclosures, the parties’ believe the prospects for settlement will be enhanced if the parties can
12 avoid incurring significant discovery costs before attempting to settle this matter.

13 7. Accordingly, the parties respectfully request an extension of certain deadlines
14
15 contained in the Court’s September 21, 2017 Scheduling Order as follows:

16 (a) Discovery Cut Off Date: **May 21, 2018**

17 (b) Experts: **March 20, 2018**, which is 60 days before the discovery cut-off date.

18 Rebuttal expert disclosures should be served by **April 19, 2018**, which is 30
19 days after the deadline for serving initial expert disclosures.

20 (c) Dispositive Motions: **June 20, 2018**, which is 30 days after the discovery cut-
21 off date.

22 (d) Joint Pretrial Order: **July 20, 2018**, which is 30 days after the deadline for
23 filing dispositive motions. In the event dispositive motions are filed, the date
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for filing the joint pretrial order should be suspended until thirty (30) days after
decision of the dispositive motions or further order of the Court.

(e) Pretrial Disclosures: Unless the Court orders otherwise, the disclosures
required by Fed. R. Civ. P. 26(a)(3) and any objections thereto should be
included in the pretrial order.

(f) Interim Status Report: **March 23, 2018**

WHEREFORE, the parties respectfully request the Court to grant this motion.

By: /s/ William Croce

William Croce (*pro se*)
10043 White Mulberry Dr.
Las Vegas, NV 89148

**LEWIS ROCA ROTHGERBER CHRISTIE
LLP**

By: /s/ Matthew W. Park

Matthew W. Park (SBN 12062)
3993 Howard Hughes Pkwy,
Suite 600
Las Vegas, NV 89169-5996
Tel: 702.949.8200
Fax: 702.949.8398
MPark@lrrc.com

*Attorneys for Defendant
Wells Fargo Advisors, LLC*

GARMAN TURNER GORDON

By: /s/ Eric Olsen

Eric Olsen
650 White Drive
Suite 100
Las Vegas, NV 8919
(725) 777-3000
(725) 777-3112
eolsen@gtglaw.com

E. Thomas Henefer
STEVENS & LEE, PC
111 North Sixth Street
P.O. Box 679
Reading, PA 19603
(610) 478-2000
(610) 988-0803 (fax)
eth@stevenslee.com

*Attorneys for Defendant, Massachusetts
Mutual Life Insurance Company*

IT IS SO ORDERED.

Dated: January 29, 2018



Nancy J. Koppe
United States Magistrate Judge